

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

ROBERT L. OWINGS,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

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Case No. 2:05CV00022 ERW

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ORDER

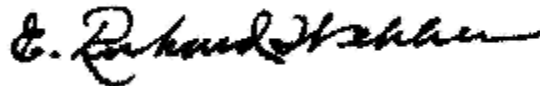
This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge David D. Noce [doc. #13]. The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that Defendant Commissioner of Social Security's Motion to Reverse and Remand [doc. #11] is **GRANTED**.

IT IS FURTHER ORDERED that, under sentence four of 42 U.S.C. § 405(g), the final decision of the Commissioner of Social Security denying Plaintiff Robert Owings disability benefits is **REVERSED**. The above-styled action is **REMANDED** to the Commissioner for further proceedings in accordance with the Report and Recommendation.

Dated this 26th day of October, 2005.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE